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April 22, 2005

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Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop Amendment

Re: U.S. Utility Patent Application
Application No. 10/822,855; Filed: April 13, 2004
For: **Gap Seal Between Nozzle Components**
Inventors: **Babin et al.**
Our Ref: 2107.1780002

Sir:

Transmitted herewith for appropriate action are the following documents:

1. First Supplemental Information Disclosure Statement;
2. One page of Form PTO-1449 listing documents AA1-AZ1 and BA2;
3. Copy of document BA2 as listed on Form PTO-1449; and
4. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Rae Lynn P. Guest
Attorney for Applicants
Registration No. 53,482

LEA/RPG/dbj
Enclosures

389814_1.DOC



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Babin *et al.*

Appl. No.: 10/822,855

Filed: April 13, 2004

For: **Gap Seal Between Nozzle Components**

Confirmation No.: 2655

Art Unit: 1722

Examiner: *To be assigned*

Atty. Docket: 2107.1780002

First Supplemental Information Disclosure Statement

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith.

Applicants have checked the appropriate boxes below.

- 1. Statement under 37 C.F.R. 1.704(d). Each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this information disclosure statement.
- 2. Filing under 37 C.F.R. § 1.97(b). This Information Disclosure Statement is being filed within three months of the date of filing of a national application other than a continued prosecution application (CPA), OR within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, OR before the mailing date of a first Office Action on the merits OR before the mailing of a first Office Action after the filing of a request for continued examination under 37 C.F.R. § 1.114. No statement or fee is required.
- 3. Filing under 37 C.F.R. § 1.97(c). This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection, or Notice of Allowance, or an action that otherwise closes prosecution in the application.
 - a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than

three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
 - c. Attached is our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p).
4. Filing under 37 C.F.R. § 1.97(d) This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. Enclosed find our PTO-2038 Credit Card Payment Form in the amount of \$_____ in payment of the fee under 37 C.F.R. § 1.17(p); in addition:
- a. Statement under 37 C.F.R. § 1.97(e)(1). I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than

three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).

- b. Statement under 37 C.F.R. § 1.97(e)(2). I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- 5. The document(s) was/were cited in a search report by a foreign patent office in a counterpart foreign application. Submission of an English language version of the search report that indicates the degree of relevance found by the foreign office is provided in satisfaction of the requirement for a concise explanation of relevance. 1138 OG 37, 38.
- 6. A concise explanation of the relevance of the non-English language document(s) appears below in accordance with 37 C.F.R. § 1.98(a)(3).
- 7. Copies of document BA2 is submitted. However, in accordance with 37 C.F.R. § 1.98(a)(2), no copies of U.S. patents and patent application publications cited on the attached Form PTO-1449 are submitted.
- 8. Copies of the documents were cited by or submitted to the Office in an IDS that complies with 37 C.F.R. § 1.98(a)-(c) in Application No. _____, filed

_____, which is relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d).

9. It is expected that the examiner will review the prosecution and cited art in the parent application no(s). 10/261,660 in accordance with MPEP 2001.06(b), and indicate in the next communication from the office that the art cited in the earlier prosecution history has been reviewed in connection with the present application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed Form PTO-1449, and indicate in the official file wrapper of this patent application that the documents have been considered.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


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Date: 4/22/2005

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		ATTY. DOCKET NO. 2107.1780002/LEA/RPG	APPLICATION NO. 10/822,855
FORM PTO-1449 <u>INFORMATION DISCLOSURE STATEMENT</u>		FIRST NAMED INVENTOR Babin et al.	
		FILING DATE April 13, 2004	ART UNIT 1722

O I P E S C
APR 22 2005
U.S. PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB-CLASS	FILING DATE
	AA1 4,010,903	Mar. 8, 1977	Sakuri et al.			
	AB1 4,368,028	Jan. 11, 1983	Grish et al.			
	AC1 4,412,807	Nov. 1, 1983	York			
	AD1 4,768,283	Sep. 6, 1988	Gellert			
	AE1 4,768,945	Sep. 6, 1988	Schmidt et al.			
	AF1 4,832,593	May 23, 1989	Brown			
	AG1 4,875,848	Oct. 24, 1989	Gellert			
	AH1 4,902,218	Feb. 20, 1990	Leonard et al.			
	AI1 4,981,431	Jan. 1, 1991	Schmidt			
	AJ1 5,015,170	May 14, 1991	Gellert			
	AK1 5,067,893	Nov. 26, 1991	Osuna-Diaz			
	AL1 5,139,724	Aug. 18, 1992	Hofstetter et al.			
	AM1 5,254,305	Oct. 19, 1993	Fernandez et al.			
	AN1 5,501,594	Mar. 26, 1996	Glozer et al.			
	AO1 5,652,003	Jul. 29, 1997	Gellert			
	AP1 5,686,122	Nov. 11, 1997	Huntington et al.			
	AQ1 5,707,667	Jan. 13, 1998	Galt et al.			
	AR1 5,871,785	Feb. 16, 1999	Van Boekel			
	AS! 5,941,637	Aug. 24, 1999	Maurer			
	AT1 6,003,182	Dec. 21, 1999	Song			
	AU1 6,009,616	Jan. 4, 2000	Gellert			
	AV1 6,017,209	Jan. 25, 2000	Gellert et al.			
	AW1 6,135,757	Oct. 24, 2000	Jenko			
	AX1 6,234,783	May 22, 2001	Shibata et al.			
	AY1 6,318,990	Nov. 20, 2001	Gellert et al.			
	AZ1 2004/0071817	Apr. 15, 2004	Fisher et al.			

FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB-CLASS	TRANSLATION
	BA2 CA 2,190,569	May 18, 1998	Canada			Yes No
	BB2					Yes No
	BC2					Yes No

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.	